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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
10/707,742	01/08/2004	Terry J. Tinklenberg	1909.001US1	5075
21186	7590	08/10/2005	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.			ALAVI, ALI	
P.O. BOX 2938			ART UNIT	
MINNEAPOLIS, MN 55402-0938			PAPER NUMBER	
			2875	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/707,742	Applicant(s) TINKLENBERG, TERRY J.	
	Examiner Ali Alavi	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11, 13-15, and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

Applicant's amendment filed on 5/23/05 has been entered. Accordingly, claims 1, 3-5, 11, and 13 have been amended, and claims 2, 12, 16, and 18-19 are canceled. Claims 1, 3-11, 13-15, and 17 are still pending in this application.

Drawings submitted on 5/23/05 have been approved by examiner.

The indicated allowability of claims 2-5, 12-14, and 18 is withdrawn in view of the newly discovered reference(s) to Rasinski (US Pat. No 4,286,309).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Sylvester (US Pat. No 6,655,822) or Pratt (US Pat. No 6,409,367) or Citron (US Pat. No 6,607,285) or McClintock (US Pat. No 3,487,359) or Rasinski (US Pat. No 4,286,309)

Sylvester discloses a trailer light kit (10) comprising: a bracket (34) for (intended use) mounting a light to a trailer (col. 4, lines 25-30), the bracket including an extension

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holder (32), an extension (12), insertable into the extension holder, and a light mechanism (18), comprising a light (22) and a light harness (24) for attaching the light into a trailer receptacle (38).

Pratt discloses a trailer light kit comprising: a bracket (10) for (intended use) mounting a light to a trailer, the bracket including an extension holder (20), an extension (16), insertable into the extension holder, and a light mechanism, comprising a light (15) and a light harness for attaching the light into a trailer receptacle (not shown but it is inherent).

Citron discloses a trailer light kit comprising: a bracket for (intended use) mounting a light to a trailer, the bracket including an extension holder (not numbered, fig. 1), an extension (120), insertable into the extension holder, and a light mechanism, comprising a light (140) and a light harness for attaching the light into a trailer receptacle (inherent).

McClintock discloses a trailer light kit comprising: a bracket (62, fig. 4) for mounting a light to a trailer, the bracket including an extension holder (64), an extension (16), insertable into the extension holder, and a light mechanism (20), comprising a light and a light harness 31) for attaching the light into a trailer receptacle (not shown).

Rasinski discloses a trailer light kit comprising: a bracket (42, fig. 1) for mounting a light to a trailer (50, fig. 2), the bracket including an extension holder (62), an extension (tube 20), insertable into the extension holder, and a light mechanism (10, fig.

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1, col. 3, line 47), comprising a light (14, 14') and a light harness 31) for attaching the light into a trailer receptacle (not numbered, but shown in fig. 4).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-11, 13-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasinski in view of McClintock.

Regarding claims 1, 3-11, 13-15, and 17 Rasinski discloses a trailer light kit comprising: a bracket (42, fig. 1) for mounting a light to a trailer (50, fig. 2), the bracket including an extension holder (62), an extension (tube 20), insertable into the extension holder, and a light mechanism (10, fig. 1, col. 3, line 47), comprising a light (14, 14') and a light harness 31) for attaching the light into a trailer receptacle (not numbered, but shown in fig. 4). Rasinski discloses the claimed invention except for the marker light and a signal light, a pin (bolt 66, col. 4, lines 55-56) for insertion into a bore.

However, McClintock teaches that it is known to employ a marker light and turn signal light for a motor vehicle. It would have been obvious to an ordinary skill in the art to employ a red marker light and an amber indicating light on a vehicle in order to send a signal for approaching vehicles.

Rasinski discloses the claimed invention as applied above except for the extension are made of aluminum. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the extension of an aluminum, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

McClintock further teaches that the stop and turn indicators mounted on the tube extending vertically from the vicinity of each rear fender of an vehicle to a substantially above the vehicle in order to be visible both to the driver of the vehicle involved and to the other operators of vehicles for a considerable distance from the vehicle.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Ali Alavi whose telephone number is (571) 272-2365. The examiner can normally be reached between 7:00 A.M. to 5:30 P.M. Tuesday to Friday. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached at (571) 272-2378 or you may fax your inquiry to the **Central Fax** at (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ali Alavi  
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AU 2875